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OFFICE OF PETITIONS

In re Application of :
Nieto Gil et al. :
Application No. 10/617,538 : DECISION ON PETITION
Filed: 11 July, 2003 :
Attorney Docket No.: FICO-002/00US :
:

This is a decision on the petition filed on 24 January, 2005, under 37 C.F.R. §1.47(a).

The petition is **GRANTED**.

BACKGROUND AND ANALYSIS

The record reflects that:

- the instant application was filed on 11 July, 2003, absent, *inter alia*, a fully executed oath/declaration;
- on 23 June, 2004, the Office mailed a Notice of Missing Parts, indicating therein, *inter alia*, a two-month period for reply absent extension of time;
- on 24 January, 2005, Petitioner James P. Brogan (Reg. No. 35,833) filed (with a request and fee for extension of time) an oath/declaration signed by co-inventor Jaune Prat

Terradas (on behalf of himself and), but without the signature of non-signing inventor Sergio Nieto Gil (Mr. Nieto Gil), and with a statement by Petitioner as to the process of sending the entire application (description, claims, abstract and drawings) for review, with the oath/declaration for signature, supported said statement with a copy of the transmittal letters, and set forth the averred last known and valid current address of the non-signing inventor.

Lastly, Petitioner has submitted a declaration in compliance with 37 C.F.R. §1.63 and §1.64 and Petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(a).

This application hereby is **ACCORDED status under 37 C.F.R. §1.47(a).**

As provided under 37 C.F.R. §1.47(a), the Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition.

Notice of the filing of this application also will be published in the Official Gazette.

This file is released to OIPE for processing as necessary to reflect the instant decision before being released for further examination in due course.

Telephone inquiries concerning **this decision** may be directed to the undersigned at (571) 272-3214.



John J. Gillon, Jr.
Senior Attorney
Office of Petitions